



Attorney Docket No.: 2870(203-3505PCTUS)

PATENT

3721

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Philip C. Roy Examiner: Thanh K. Truong

Serial No.: 10/528,851 Group: Art Unit 3721

Filed: March 23, 2005 Dated: July 20, 2006

For: PNEUMATIC POWERED SURGICAL STAPLING DEVICE

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL FORM

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [] Small entity status of this application under 37 C.F.R. § 1.9 and 1.27 has been established by a verified statement previously submitted.
- [] A verified statement to establish small entity under 37 C.F.R. § 1.9 and 1.27 is enclosed.
- [X] No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDIT. RATE FEE	ADDIT. RATE FEE
TOTAL	18*	MINUS 20**	=	X 25 \$	X 50 \$ 0
INDEP.	2*	MINUS 3**	=	X 100 \$	X 200 \$ 0
= FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				X 180 \$	X 360 \$ 0
				TOTAL	OR TOTAL \$ 0
				ADDIT. FEE	\$ -0-

* If the entry in Col. 1 is less than entry in Col. 2 write "0" in Col. 3.

** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on date below.

Dated: July 20, 2006

Edward C. Meagher



- [] Please charge Deposit Account No. 21-0550 in the amount of \$____. Two (2) copies of this sheet are enclosed.
- [] A check in the amount of \$____ is enclosed.
- [X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

Edward C. Meagher
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313-1450 on 7/20/06.

By: Edward Meagher Date: 7/20/06

PATENT

Docket No. 2870/203-3505PCTUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Philip C. Roy

TITLE : **PNEUMATIC POWERED SURGICAL STAPLING
DEVICE**

SERIAL NO. : 10/528,851

FILED : March 23, 2005

EXAMINER : THANH K. TRUONG

ART UNIT : 3721

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Restriction Requirement dated June 23, 2006, Applicant hereby provisionally elects the Claims of Group I, namely, Claims 1-9, which are shown in FIGS. 1A-6. Applicant's election is without traverse.

In view of the foregoing, it is now believed that an examination on the merits of the application is in order. Such action at an early date is earnestly solicited.

Respectfully submitted,



Edward C. Meagher
Attorney for Applicant
Reg. No. 41,189

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